

May 14, 1975

PRESIDENT: Before we have further debate, I failed to get this announcement about Senator Anderson's guests in the south balcony from Axtell. Twenty-four eighth graders. Also in the north balcony some students from Senator Dworak's home town of Columbus, we have 26 sixth graders. Thanks to all of you for coming. Senator Burbach.

SENATOR BURBACH: Mr. President, members of the Legislature I would ask you and emply of you not to return LB249. 249 had a public hearing, and as I indicated the other day Mr. Doyle of the highway department was in favor of and is in favor of this bill. Senator Mills indicates the importance of this bill Mr. Doyle serves on the National Committees and agrees and did so state at the public hearing. There is a definite trend for states to assume part of the maintenance expense for crossing protection devices. This merely benefits the highway traveller much more than they do the railroads. Prior to January 1 of this year there were fourteen states that had recognized this since 1973 when the federal transportation act became operative. This is the trend and this is necessary that we pass the bill and leave it as it is and not bring it back for any specific amendment. I think that it was well discussed the other day and I do not want to say, I'm just asking that you not return it. This is a reconsideration of our action and we could say that it would take 30 votes and that would be for the presiding officer. I do believe that this body knows of the importance of keeping the word "maintenance" in this bill and I would be hopeful that you would not return it for this amendment.

PRESIDENT: Senator Mills.

SENATOR MILLS: Mr. President, since Senator Burbach did object, I think that I have a right to close. Mr. President there seems to be some confusion about what I'm trying to do. Presently the railroads are paying for all of the maintenance of the electronic signal devices that are used in the rail road crossing in the state of Nebraska. In this bill, they are asking that the state be involved with paying up to 50% of the maintenance of the electronic signal devices in the state of Nebraska of new installations. It is my point and purpose, and idea that the railroads maintain the same thing that they were doing and pay for the maintenance. They have the people there, they have the train people and we have no idea as to what else they are having these people do, are they signal men all the time, full time, or what are they tring to do? But, it is only this part that I am trying to strike that the state not have to pay for the maintenance of the electronic signal devices in the state of Nebraska of new ones that are installed. The bill now says that the director of the Department of Roads may go ahead and pay for 50% of the maintenance of those. I would ask that you adopt this amendment.

PRESIDENT: The question is shall the bill be returned for the specific amendment. Record your vote. Have you all voted? Clerk will record.